

MINUTES  
TIGARD CITY COUNCIL BUSINESS MEETING  
January 22, 2002

- STUDY SESSION

Study Session was called to order at 6:30 p.m.

Council members present: Mayor Griffith; Councilors Dirksen, Moore, Patton, and Scheckla.

- > 69<sup>th</sup> Avenue Local Improvement District Assessments are on this Council agenda. City Manager Monahan gave a brief overview of this agenda item.
- > UPDATE ON RANDALL FUNDING AND DEVELOPMENT GRANT ASSISTANCE

Assistant to the City Manager Liz Newton reviewed this agenda item. A memorandum dated January 18, 2002, from Ms. Newton to the Mayor and Council regarding the status of Randall Funding and Development Grant Activity is on file in the City Recorder's office. Ms. Newton noted that there is grant activity underway in the areas of library, transportation/engineering, police, community development/downtown and public works/parks/wetland enhancement.

Staff from the Randall Corporation will be coming to Tigard on Thursday, January 24, to meet with Ms. Newton to review grant-funding efforts. At this meeting, they will review all potential opportunities and city priorities for funding.

At this time it appears that many grants are becoming available for emergency preparedness.

- > CITY ATTORNEY REVIEW – This agenda item moved to March 26, 2002
- > ADMINISTRATIVE ITEMS:
  - City Manager Monahan distributed some information with regard to the City Manager performance review.
  - City Manager Monahan distributed a draft 2001 goals achievement document. In addition, draft 2002 goals were also distributed. He noted that Goal No. 6 for 2002 was changed to indicate that the Council would

*individually* support the library construction bond measure. Councilor Scheckla noted he would like the downtown goal to include consideration of establishing a public restroom. Council will review the draft goals and forward comments to the City Manager by February 1.

- With regard to the 69<sup>th</sup> Avenue LID, City Engineer Duenas and City Manager Monahan outlined the process. Mr. Monahan reviewed the activities to date including the neighborhood meeting. Information previously distributed to the Council on this matter was reviewed briefly. The purpose of the resolution before Council was to take the step necessary before the public hearing could be held regarding any objections to the assessments. City Engineer Duenas recommended that the City Council proceed with the proposed assessment and approve the resolution.

In response to a question from Councilor Dirksen, City Engineer Duenas noted that the property in this area is more valuable for the benefited properties. There was lengthy discussion on how the property owners were affected, especially the residential property owners. The City has contributed about \$200,000 to reduce the assessment.

The public hearing on this matter is tentatively scheduled for February 12. The Council has the right to change the method of assessment after the public hearing.

There was discussion on the \$105,000 amount that is owed to the City by a property owner as a result of a court ruling on a matter in this LID area. The City is in the process of collecting these funds.

- Mayor Griffith noted that the Olympic Torch Run came through the City of Tigard today. He presented to Council a crystal Coca-Cola bottle given to him in commemoration of Tigard's participation in the Run. He referred to the activities surrounding the Torch Run including television coverage from Channel 12. The Council applauded the efforts of the Police Department. City Recorder Wheatley noted that Sergeant Karl Kaufman did a fantastic job in planning and providing a police escort for the Torch Run.
- EXECUTIVE SESSION: Canceled. (Note: Labor Relations and Litigation issues that were to be discussed this evening were set over for discussion on February 12, 2002.)

- > A motion was proposed for Council consideration for Agenda Item No. 7 regarding Tigard's involvement in the regional drinking water proposal. The exact cost of Tigard's participation in the planning phase is not known at this time because it is not certain as to how many agencies will be participating. The motion was considered by Council during the Business Meeting (Agenda Item No. 7).

1. BUSINESS MEETING

- 1.1 Call to Order - City Council & Local Contract Review Board  
Mayor Griffith called the meeting to order at 7:30 p.m.
- 1.2 Roll Call: Mayor Griffith, Councilors Dirksen, Moore, Patton, and Scheckla.
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items: None

2. VISITOR'S AGENDA: None

3. CONSENT AGENDA: Motion by Councilor Dirksen, seconded by Councilor Scheckla, to approve the Consent Agenda as follows:

- 3.1 Receive and File:
  - a. Council Goal Update
- 3.2 Approve Budget Amendment #7 to the Fiscal Year 2001-02 Budget to Add One Half-time Position in the Library Administration Division – Resolution No. 02 - 04
- 3.3 Appoint Jeffrey Lawton to the Library Board – Resolution No. 02 - 05

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

4. RECOGNITION OF JOHN OLSEN, STEVEN TOPP, AND NICK WILSON FOR THEIR SERVICE ON THE PLANNING COMMISSION

- Mayor Griffith noted appreciation on behalf of the City of Tigard to John Olsen, Steven Topp, and Nick Wilson for their services on the Planning Commission.

5. INTRODUCE JEFFREY LAWTON AS NEWLY APPOINTED LIBRARY BOARD MEMBER

- Mayor Griffith advised that Jeffrey Lawton was the newly appointed Library Board member. Mr. Lawton was present and was introduced to the City Council.

6. RECEIVE SAIF CORPORATION'S CERTIFICATE OF RECOGNITION FOR TIGARD'S RISK MANAGEMENT PROGRAM

- Risk Manager Loreen Mills was present. The City of Tigard's Risk Management Program was recognized by SAIF, the City Worker's Comp carrier, for excellence. The City has been successful in reducing injuries and losses by effectively managing the risks of doing business. A copy of the staff report and the certificate of recognition are on file in the City Recorder's office.

7. TIGARD'S INVOLVEMENT IN PORTLAND REGIONAL DRINKING WATER PROPOSAL

- Public Works Director Wegner was present and introduced this agenda item. A copy of the staff report is on file in the City Recorder's office. Mr. Wegner noted that the staff recommends that the City continue to work with the City of Portland and other agencies for planning of the regional drinking water supply and initiative process. This matter was discussed with the Council and the Intergovernmental Water Agency previously.
- Councilor Patton noted that the regional drinking water initiative was worthwhile and recommended the continued participation by the City of Tigard as the City continues to look future water supplies from Bull Run/Columbia Wellfields, through a wholesale contract with the City of Portland, and a possible partnership with the Joint Water Commission.
- Motion by Councilor Moore, seconded by Councilor Dirksen to approve the staff's recommendation that the City of Tigard, representing the combined service areas of King City, Durham, Tigard, and portions of the unincorporated area of Washington County elect to continue participation in the detailed implementation planning phase of the Regional Drinking Water Supply Initiative process, subject to the conditions outlined at the work session on January 15, 2002. The City Council authorizes Councilor Joyce Patton and staff to negotiate the Joint Funding Agreement with our local share not to exceed \$25,000.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

Note: Agenda Item Nos. 8, 9 and 10 were combined as one item for the staff report.

The Finance Director overviewed these agenda items. Copies of the staff reports on these items are on file in the City Recorder's office.

After brief discussion, the Council considered the proposed ordinances.

8. **CONSIDER AN ORDINANCE AMENDING THE TIGARD MUNICIPAL CODE PERTAINING TO FEES AND CHARGES AND UPDATING LANGUAGE STATING THAT FEES AND CHARGES BE SET BY RESOLUTION**

ORDINANCE NO. 02-05 – AN ORDINANCE AMENDING TIGARD MUNICIPAL CODES 3.36.070, 5.04.160, 5.04.160, 5.04.173, 5.14.080, 7.70.030, 10.50.040, 11.04.060, 11.08.030, 11.08.060 AND 11.08.123 TO REMOVE REFERENCES TO FEES AND CHARGES AND UPDATE THE CODE LANGUAGE TO STATE THAT FEES AND CHARGES SHALL BE SET BY RESOLUTION

Motion by Councilor Moore, seconded by Councilor Patton, to adopt Ordinance No. 02-05.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

9. **CONSIDER A RESOLUTION TO ADOPT A CITYWIDE FEES AND CHARGES SCHEDULE AND APPROVE ANNUAL PARK SYSTEM DEVELOPMENT CHARGE ADJUSTMENT**

**RESOLUTION NO. 02-06 – A RESOLUTION ADOPTING A CITYWIDE FEES AND CHARGES AND APPROVE ANNUAL PARK SYSTEM DEVELOPMENT CHARGE ADJUSTMENT**

Motion by Councilor Moore, seconded by Councilor Patton, to adopt Resolution No. 02-06.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

**10. CONSIDER AN ORDINANCE AMENDING THE TIGARD MUNICIPAL CODE TO GRANT THE CITY MANAGER AUTHORITY TO SET INTERIM FEES AND CHARGES**

**ORDINANCE NO. 02-06 – AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE 3.32 TO GRANT AUTHORITY TO THE CITY MANAGER TO SET INTERIM FEES AND CHARGES UNTIL A RESOLUTION CAN BE ADOPTED BY CITY COUNCIL**

Motion by Councilor Dirksen, seconded by Councilor Patton, to adopt Ordinance No. 02-06.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

**11. PUBLIC HEARING (QUASI-JUDICIAL) – ZONE CHANGE ANNEXATION (ZCA) 2001-00003 THORNWOOD ANNEXATION**

**REQUEST:** The applicant is requesting to annex two (2) parcels of 8.6 acres into the City of Tigard. This request follows the approval of the Thornwood Subdivision (Case File No. SUB2000-00006), and is a requirement of that approval. **LOCATION:** Washington County Tax Assessor's Map Number 2S110BC, Tax Lots 1100 and 1200. **ZONE:** R-7: Medium-Density Residential District. The R-7 zoning district is

designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally. APPLICABLE REVIEW CRITERIA: The approval standards for annexations are set out in Community Development Code Chapters 18.320.020 and 18.390, Comprehensive Plan Policies 2 and 10; ORS Chapter 222; and Metro Code Chapter 3.09.

- a. Mayor Griffith opened the public hearing.
- b. Declarations or Challenges: Mayor Griffith read the following statements:
  - Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits? (None were reported.)
  - Have all members familiarized themselves with the application? (Council indicated they were familiar with the application.)
  - Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council? (There were no challenges.)
- c. Staff Report: Community Development Director Hendryx summarized the staff report, which is on file in the City Recorder's office. It was noted in the staff report that TCI was referenced as the cable provider; however, cable services are now offered by another provider and should be referenced correctly.
- d. Public Testimony

Mayor Griffith read the following statement:

  - For all those wishing to testify, please be aware that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and parties an opportunity to respond to the issue will preclude an appeal to the Land Use Board of Appeals on this issue. Testimony and evidence must be directed toward the criteria described by staff or other criteria in the plan or land use regulation which you believe apply to the decision.
  - Jay Harris, Harris McMonagle Associates, Inc. 12555 SW Hall Boulevard, Tigard, OR 97223, advised he represents the applicant for this annexation. Mr. Harris requested the annexation be approved as proposed in the staff report.

- e. Staff Recommendation was for approval.
- f. Mayor Griffith closed the public hearing.
- g. Motion by Councilor Dirksen, seconded by Councilor Scheckla, to adopt Ordinance No. 02-07.

ORDINANCE NO. 02-07 – AN ORDINANCE ADOPTING FINDINGS AND CONCLUSIONS TO APPROVE AN ANNEXATION (ZCA) 2001-0003/THORNWOOD ANNEXATION AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, CLEAN WATER SERVICES, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT.

The motion was approved by a unanimous vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

(Agenda Item No. 13 was heard at this time.)

12. PUBLIC HEARING - CONSIDER A RESOLUTION IMPLEMENTING THE WASHINGTON SQUARE REGIONAL CENTER PLAN, AND AN ORDINANCE AMENDING THE TIGARD COMPREHENSIVE PLAN AND MUNICIPAL CODE

- a. Mayor Griffith opened the public hearing.
- b. Declarations or Challenges

Mayor Griffith read the following statements:

- Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits? (None reported.)
- Have all members familiarized themselves with the application? (All Council members indicated they were familiar with the application.)



- Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council?

Dave Nadal, 3024 SW Florida Court, No. D, Portland, OR 97219, said it was wrong to have the Tigard City Council plan for an area not inside the limits of the City of Tigard.

Community Development Director Hendryx advised that the Washington Square Regional Plan is a multi-jurisdictional plan from Washington County and the Cities of Beaverton and Tigard. The City of Tigard is taking the lead on the plan with participation from the other two agencies. The decision rendered by the City of Tigard Council will affect only the property in the City of Tigard. In response to a question from Councilor Scheckla, Legal Counsel Corrigan advised that the City Council's job is to set policy as it was being asked to do in this matter.

- c. Staff Report: Community Development Director Hendryx introduced this agenda item. In addition, Consultant John Spencer and Assistant Planner Julia Hajduk reviewed components of the staff report. Highlights of their presentations are contained in the PowerPoint slide copies that are on file in the City Recorder's office.

Councilor Scheckla brought up issues with regard to urban renewal and whether this was a viable funding option noting recent difficulties in the region with regard to urban renewal programs. Mr. Spencer noted that urban renewal would be reviewed to determine whether it was feasible for the area.

Carl Hosticka, Metro Presiding Officer, noted that the details of the Plan were a local decision. He reviewed the decision made a number of years ago to develop regional centers to avoid sprawl. The purposes of regional centers are to make efficient use of land and to minimize transportation impacts. The Washington Square area was designated as a regional center in the mid-1990's. He commented that the regional center plan for Washington Square had been thoroughly "hashed over." Mr. Hosticka noted that it was important to implement the plan correctly as the area develops and to preserve natural resources. He said he sees this as an opportunity for a partnership between Metro and local governments.

Mr. Hosticka responded to a question from Councilor Scheckla with regard to reconsideration of some of Metro's growth projections for jobs and housing. Mr. Hosticka advised that the data pertaining to the urban growth boundary is

reviewed every five years. Specific adjustments have not been made recently. A review is underway.

Council meeting recessed at 9 p.m.

Council meeting reconvened at 9:13 p.m.

d. Public Testimony

Public testimony would be limited to three minutes per person. Mayor Griffith announced the following:

- For all those wishing to testify, please be aware that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and parties an opportunity to respond to the issue will preclude an appeal to the Land Use Board of Appeals on this issue. Testimony and evidence must be directed toward the criteria described by staff or other criteria in the plan or land use regulation which you believe apply to the decision.
- Proponents
  - Forrest Soth, 4890 SW Menlo, Beaverton, OR 97005. Mr. Soth advised he sits on the Beaverton City Council. He referred to the project as a 20-year plan and recommended implementation of the plan over the next 20-25 years. Such a plan is beneficial for those who come into the area to know what they can and cannot do for development and redevelopment. Mr. Soth urged adoption.
  - Jack Reardon, 8125 Connemara Terrace, Beaverton, OR 97008. Mr. Reardon advised he is general manager of Washington Square Shopping Center and a member of the Washington Square Regional Task Force. He advised the process was excellent and agreed with the premise of a regional center concept. He noted concerns that funding has not been addressed. Mr. Reardon recommended that the plan be adopted.
  - Chuck Davis, 401 Wilshire Boulevard, No. 700, Santa Monica, CA 90401. Mr. Davis noted concerns with the urban renewal process and the need for some certainty than an urban renewal strategy could be put into effect, since this will affect the planning for the Washington Square area.
- Opponents

- Bruce Warner, 8025 SW Elmwood Street, Tigard, OR 97223. Mr. Warner testified that he is opposed to the plan. He was concerned that funding would be required from the residents' "pockets." He noted that systems development charges were woefully below true costs and that the people who live in the area would pay more taxes. He said he did not see how wetlands could be protected. He said he did not think that State-planning goals had been addressed. In addition, he referred to stormwater drainage problems resulting from more paving. With regard to the proposal for additional jobs and a larger population that was being "pushed by Metro," he advised he did not see what benefits the people in the area would realize. He said he was concerned about preserving the quality of life in the neighborhood.
- Liz Callison, 6039 SW Knightsbridge Drive, Portland, OR 97219. Ms. Callison said she opposed implementation of the plan. She noted that the intention in the beginning was for the area to be connected by light rail. She reviewed the initial reasons for regional centers and town centers, but the projected growth has not been realized. She said that the proposed plan will destroy open space and create more flooding potential of Fanno Creek. She advised that the regional plan does not include policies for the protection of fish and wildlife and that the area already has significant problems. She also noted concerns with density.
- Dan Duffy, 9630 SW Eagle Court, Beaverton, OR 97008. Mr. Duffy advised that he is a resident of Fairway Park and is a single-family homeowner in an area already developed. He said this area has nothing in common with the Washington Square center. Mr. Duffy referred to notification problems and lack of citizen involvement for this neighborhood on this plan. He said the boundary to include his area was added late in the process to provide a link from the golf course to the rest of the properties.
- Trudy Knowles, 10430 SW 82<sup>nd</sup>, P. O. Box 230275, Tigard, OR 97281. Ms. Knowles advised has been a resident in the area for 27 years and presented a large sign that said "Keep Metzger Livable." Ms. Knowles noted concerns with the transportation plan calling for Hall Boulevard to be increased to five lanes. She outlined her issues with impact on the creek and greenspaces. She said the financial burden would be on the taxpayer.
- Pat Whiting, 8122 SW Spruce, Tigard, OR testified as a member of the Washington Square Force (submitting a minority report) as well as the Vice-Chair of CPO 4-M. Ms. Whiting's comments are in writing and are on file in the City Recorder's office. She noted issues with statewide planning goals and requested that the record be kept open for seven days.

Ms. Whiting outlined a number of concerns with the Washington Square Regional Plan and Code amendments.

There was Council discussion after Ms. Whiting concluded her remarks with regard to the statement that statewide land use goals had not been addressed. Councilor Patton commented and confirmed with the staff that these goals were addressed in the original regional center plan previously reviewed and approved by the City Council.

- Derek Becker, 9845 SW Eagle Lane, Beaverton, OR 97008. Mr. Becker entered into the record a petition signed by property owners of Fairway Park requesting to be exempted or removed from the redevelopment adopted or about to be adopted, known as the Washington Square Regional Plan. A copy of the petition is on file in the City Recorder's office. Mr. Becker cited issues with notice for the process for the consideration of the Washington Square area. He also noted that there were issues on the boundaries chosen and transportation impacts. Community Development Director Hendryx confirmed that there will also be a public hearing on this issue before the Washington County Board of Directors.

Councilor Scheckla commented on transportation and specifically referred to commuter rail that is being planned for the area. Community Development Director Hendryx described some "tool box" options that have been identified for traffic. Mr. Hendryx noted that each jurisdiction (Tigard, Washington County and Beaverton) have a separate component to deal with concerning this Plan. Each component and its issues are slightly different. Mr. Hendryx referred to the timeline for review of the Plan for both Beaverton and Washington County.

Mr. Becker stated that many points of the plan were useful, but he found the benefits to be for businesses to the detriment of homeowners in the area.

- Steve Schopp, 10475 SW Helenius Road, Tualatin, OR 97062. Mr. Schopp advised that he did not think staff was persuasive with regard to proceeding to implement the Plan. He advised he thought the Washington Square Implementation Plan had a predetermined outcome. He argued that adding jobs and density did not protect livability and referred to the stated purpose of the regional center was to protect livability. He referenced statewide goals and advised that the Plan does not meet those. In addition he questioned whether there would be financing to implement the Plan and whether it would be expected to be funded by taxpayers in the area.

He noted recent issues regarding urban renewal and ramifications of Measure 5. He advised that the Metro 2040 Plan promotes uncontrolled growth.

- Craig Flynn, 10248 NE Fargo Court, Portland, OR 97220. Mr. Flynn referred to concerns about neighborhood preservation. He also questioned urban renewal and said that the dollars could be used for other needs such as police and libraries. He noted issues with transportation and the need for more road capacity if the density is increased.
- Dave Nadal, 3024 SW Florida Court, Portland, OR 97219. Mr. Nadal noted concerns about the regional outlook, which should be promoted by Metro through the 2040 program. He talked about density and rapid growth that does not keep up with infrastructure. He said he would prefer to see a moderated-growth program. Mr. Nadal referred to several incorrect assumptions. He said that it has been suggested that mixed-use areas would represent the same growth potential as the land is currently zoned. The difference was that the land would now be marketed. In addition, he said that the Plan represents an auto-oriented program evidenced by the proposal to widen Hall Boulevard.
- Gretchen Randolph, 6690 SW Ventura Drive, Tigard, OR 97223. Ms. Randolph cited several fatal flaws within the Washington Square Implementation Plan and urged the Council to vote against it. She noted that the City does not have the dollars to implement the program, which in essence is condemning the neighborhood to deterioration because of the length of time it will take to implement the program. The neighborhoods will not realize profits from the plan – only the problems. She noted adverse impacts to police, fire and school services. She said she has lived in the area for 22 years, and over those years she has noted the “torrent of water” gets larger every year. She cited the need for wetlands. Her preference would be that the City leave the wetlands and neighborhoods intact.
- Jill Tellez, 9280 SW 80<sup>th</sup> Avenue, Portland, OR 97223. Ms. Tellez submitted written testimony, which is on file in the City Recorder’s office. She noted her concerns with mixed-use zoning, office vacancy rates, and the establishment of an urban renewal district. She questioned how this plan could be for the public good. She said the people in the area will not realize enhanced values. She advised that the Plan would open doors for litigious action. She said the

Plan was reckless and not safe. The proposal calls for “kicking out” current residents for higher density.

Neutral

- Michael Neunzert, 9221 SW Lehman Street, Tigard, OR 97223. Mr. Neunzert advised that the Washington Square Plan is better than the absence of a plan. He supported the process that was undertaken to develop the Plan. He advised of items that he thought were critical: 1) timing of zoning and infrastructure changes and 2) resolving inter-jurisdictional issues of stakeholders. He was concerned about the lag time to develop the infrastructure (a long-term process), which was also expensive. He said that identifying funding options does not assure that it will happen. He said that Tigard has leverage with Metro as long as the Plan is in a hold status with regard to implementation.

(Opponents cont.)

- Bob Ward, 7162 SW Barbara Lane, Tigard, OR 97223. Mr. Ward said he became aware of this item just this evening. He noted that this process should have been more visible to the public. He cited concerns with density and protested any increase in density. He said he moved to the area because of the livability it represented. He referred to his disagreement to the decisions made in the past by elected officials including the actions by Metro.
- Donna Nesbitt, 8900 SW Birch, Tigard, OR 97223. Ms. Nesbitt advised she has lived in the Metzger area for 37 years. She noted the three proponents who testified earlier were not Tigard residents. She outlined issues with the Plan including cutting down trees, pollution, and overcrowded schools. She said that multi-family dwellings would not produce the same level of taxes as single-family homes. She noted concerns with lack of parks and open spaces. In addition, she said wildlife in the area would be adversely affected. Ms. Nesbitt advised that the area is in an earthquake zone. She itemized transportation issues along with speeding cars. She said there were too many negatives associated with this Plan and hoped that the City Council would vote it down.
- Jerry Ward, 7409 SW Fulton Park Boulevard, Portland, OR 97209. Mr. Ward noted that there was a fatal flaw in that the population in the area was the same as the City of McMinnville and that the transportation problems would become worse. He did not

think the Plan would work. He said the transportation remedies outlined in the Plan were “close to ridiculous.” He advised he believed the Plan was in violation of Goal 1.

(Additional Proponent)

- Dr. Gene Davis, 10875 SW Spruce, Tigard, OR 97223. Mr. Davis noted that he was on the Washington Square Task Force and was commenting in favor of the plan. He referred to traffic issues and that Hall Boulevard would need to be widened. He said he owns property in the area and the City has been “dumping all kinds of groundwater” onto his property, which produces wetlands. He said storm drainage needs to be addressed in a better way.

In response to a question from Councilor Scheckla about Mr. Davis’ concern about the stormwater drainage, Community Development Director Hendryx indicated that he would have staff research this issue.

- Rebuttal

- Community Development Director Hendryx, in response to issues raised during the testimony commented on the public involvement process. There has been a public outreach program along with individual notification to 2200 property owners (sent out two months ago). Articles appeared in the Tigard Times.

With regard to statewide goals, Council has a memorandum in its packet materials advising that all statewide goals were addressed. Council will need to determine whether the record should be left open for seven days.

Mr. Hendryx referred to the density issues raised during the public testimony. The Code does not specify an upper limit of units per acre. However, conditions of development (parking and development standards) would limit the number of units that could be placed on a parcel.

Mr. John Spencer also commented on density and how development could occur. At this time, it is recommended that Hall Boulevard be three lanes, with the possibility of developing to five lanes. Before Hall Boulevard can be expanded to five lanes, right-of-way would need to be acquired. In response to some of the urban renewal questions, the urban renewal boundaries do not need to be the same as the entire boundary of the area identified in the

Plan. This means that one or two jurisdictions might have urban renewal identified to finance part of the Plan, while the other jurisdiction might not.

With regard to school issues, the School District Facilities Manager was a member of the Task Force. The Plan does not specifically discuss school capacity. It is anticipated that the residential population added in the regional center would have a lower-than-average number of children per household. The School District is reviewing the Metzger Elementary School for possible rebuild.

Council meeting recessed at 10:55 p.m.

Council meeting reconvened at 11:05 p.m.

Legal Counsel Corrigan said it was allowable to leave the record open for seven days, with a deadline date set.

- e. Staff Recommendation: Community Development Director Hendryx said the staff recommended approval of the proposed ordinance and resolution as submitted in the Council packet.

- f. Record/Council Discussion

After discussion, it was determined that written testimony would be allowed until 5 p.m. January 29, 2002.

- g. Mayor Griffith closed the public hearing.

- h. Setting Item to Date Certain

Motion by Councilor Scheckla, seconded by Councilor Moore, to carry this agenda item forward to February 26, 2002, and to hold the record open to receive written testimony until one week from today.

Agenda Item No. 14 was considered next.

### 13. PRELIMINARY EVALUATION OF WALL STREET LOCAL IMPROVEMENT DISTRICT

- City Engineer Gus Duenas presented a staff report and a PowerPoint presentation on this agenda item. These materials are on file in the City Recorder's office.



- The Council issue to consider was whether to proceed with the process to form a Local Improvement District (LID) for design and construction of the Wall Street Extension from Hunziker Street to Hall Boulevard.

The extension of Wall Street from Hunziker Street to Hall Boulevard is identified in Tigard's recently adopted Transportation System Plan. An option agreement executed to purchase property for a proposed Tigard library requires the City to pursue formation of an LID for construction of this street. The property owners in the area, at this point, are in favor of the LID.

City Engineer Duenas noted that Goal 5 regulations could become more restrictive, thus, making it advantageous to proceed with the project at this time. There was discussion about the possibility of purchasing additional right-of-way adjacent to the property under review. The pros and cons of doing this are being studied. Councilor Patton noted that this could represent a key route to reduce congestion on all and thereby relieving the need for making Hall Boulevard wider than three lanes.

Councilor Dirksen noted his agreement with Councilor Patton's comments and said there is a need for an alternate north/south route to relieve congestion on 99W. Consensus of Council was to direct staff to continue to work toward the next step in the LID formation process.

#### 14. CONSIDER A RESOLUTION APPROVING THE ASSESSMENTS FOR THE 69<sup>TH</sup> AVENUE LOCAL IMPROVEMENT DISTRICT

- City Engineer Duenas reviewed the staff report, which is on file in the City Recorder's office. The proposed resolution would direct staff to schedule a public hearing to consider any objections to the proposed assessments.
- Motion by Councilor Moore, seconded by Councilor Patton, to adopt Resolution No. 02-07.

RESOLUTION NO. 02-07 – A RESOLUTION APPROVING THE METHODS OF ASSESSMENT AND PROPOSED ASSESSMENTS TO BENEFITED PROPERTY OWNERS IN THE 69<sup>TH</sup> AVENUE LOCAL IMPROVEMENT, DIRECTING THAT NOTICE OF THE PROPOSED ASSESSMENTS BE GIVEN TO EACH PROPERTY OWNER, AND DIRECTING THAT A PUBLIC HEARING BE HELD TO CONSIDER OBJECTIONS.

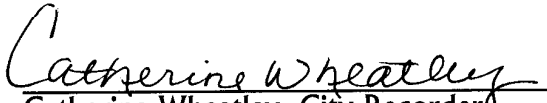
The motion was approved by a majority vote of Council present:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	No

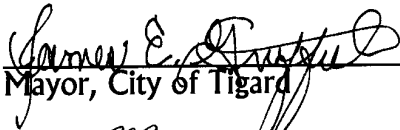
15. COUNCIL LIAISON REPORTS: None

16. NON AGENDA ITEMS: None

17. ADJOURNMENT: 11:20 p.m.

  
Catherine Wheatley, City Recorder

Attest:

  
\_\_\_\_\_  
Mayor, City of Tigard  
Date: March 26, 2002

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